

**CLIFTON TOWN COUNCIL SPECIAL MEETING
TUESDAY, JULY 22, 2020, 7:30 PM
ELECTRONIC MEETING BY ZOOM
12641 CHAPEL ROAD
CLIFTON, VA 20124**

Until further notice from the Mayor of Clifton, and in accordance with the Resolution of the Town Council regarding Remote Participation by Electronic Means Policy and the Town Council Continuity of Government Methods Authorizing Remote Participation by Electronic Means Without a Physical Quorum Being Present Pursuant to Virginia Law, the Town of Clifton Town Council is holding the Meeting noticed herein electronically for the purpose of continuity of government of the Town of Clifton.

The meeting will be conducted using Zoom teleconferencing audio and video service, and connection information will be provided to members of the public to afford the opportunity to citizens to witness the operation of the Town of Clifton government. Connection information is available from, and will be provided by, the Town Clerk.

Any member of the public wishing to observe or participate in the electronic meeting **must notify the Town Clerk at clerk@cliftonva.gov in advance by Noon on the day of the meeting** in order to register for the meeting.

Any member of the public requesting to speak or make comments during the electronic meeting **must register with the Town Clerk at clerk@cliftonva.gov in advance by Noon on the day of the meeting, providing their name and address and the subject matter of their comments,** in order to have an opportunity to speak and provide comments during the meeting. Any such comments will be **limited to three (3) minutes** per speaker and priority will be given to the citizens and taxpayers of the Town of Clifton. Members of the public may also submit written comments to the Town Clerk in advance of the meeting. Any such written comments will be included in the record for the meeting, but will not be read aloud during the meeting.

Present: Mayor William Hollaway; Vice Mayor Steve Effros; Councilmember Regan McDonald; Councilmember Melissa Milne; Councilmember Patrick Pline; Councilmember Darrell Poe.

Staff: Amanda Christman, Town Clerk.

Absent: Marilyn Barton, Town Treasurer

The Regular Meeting was called to order by Mayor Hollaway at 7:30 PM.

Order of Business:

1. Citizen's Remarks - Suggestions or complaints of citizens and taxpayers, and other persons authorized by the Mayor to address the Council.

Peter Noonan of 12635 Chapel Road: Appreciates the recent culvert work performed in front of his home, which has been filled with standing water for years. Thanks to Chase Hinderstein in getting the work done by VDOT. Mr. Noonan hopes the Town Council will hang a new banner that reaffirms the community's values.

Graham Milne of Dell Avenue: Is very disappointed with the banner coming down. A lot of good things have started to happen as a direct response to the hanging of the banner, leading to positive events. He urged the Council to replace the banner over Main Street.

Rachel Howell of 6700 Newman Road: Firmly supports replacing the banner for an indeterminate length of time. She asked the Council to make a statement that criminal activities are for intimidation and that the Town should send strong message that this won't be tolerated.

Steve Jones: Supports replacing the banner for a longer period to compensate for lost time. He recounted the parable of the lost sheep. The one lost sheep is the one that is in danger, but that doesn't mean the other 99 don't matter as well. He noted that he is a trustee of the Primitive Baptist Church and has friends in the neighboring Second Baptist Church who have been so happy to see the banner.

Lynne Garvey-Hodge: Has heard strong interest from the Beckwith and Harris families' descendants to connect with Town residents. She supported the banner and is disappointed that it was removed.

Geri Yantis of 12639 Water Street: Indicated that the current electronic forum makes it hard to participate in the Council meetings.

2. Application for VDOT Land Use Permit and Schedule to Take Down Banner.

Vice Mayor Effros questioned the correctness of VDOT requiring a land use permit to hang banners over Main Street and noted that the agency has been aware of the Town's practice for over three decades and they have acknowledged it is not a safety issue. He asserted that the Town has a right to put banners up, and Clifton's legal counsel has been looking into the question. Once the research is complete, a conversation with VDOT should be initiated.

Councilmember Poe indicated that he shares Vice Mayor Effros's concerns and is against applying for such permits. He added that it is worth looking into the history of the Town's banner policy in the Code.

Councilmember Milne reiterated that it is written into the Town Code as to how banners are handled; it is part of the law. She recommended that the Council pursue the Town's legal standing is with VDOT, given that banner regulation is set forth in the Code. Additionally, she noted that charitable events might find VDOT's \$100 application fee to be prohibitive.

Councilmember Pline said that the Town Code does not supersede state law. He asked whether the Town observes VDOT's jurisdiction over a state street and added that the policy has been on VDOT's website for a decade.

Vice Mayor Effros replied that the Council has not found anything that supersedes what it has been doing for thirty years and neither has VDOT. He surmised that either there was an agreement that has precedent, since Clifton is not the only Town to govern banners in this manner, or that the Council could potentially rely on the other laws that Town Attorney is currently researching. He underscored the need to protect the organizations in Town that regularly request permission to hang banners over Main Street.

Councilmember McDonald indicated that the Council should not engage in a legal fight with VDOT on something as simple as a banner and asserted that the Town should have submitted an application to VDOT as soon as they were notified of the policy.

- **Vice Mayor Effros moved to establish a meeting between the Town of Clifton and the appropriate staff of VDOT to discuss and determine the status of the banner issue and not file for a land use permit until such time as the facts have been determined, seconded by Councilmember Poe. The motion was approved by roll-call: Hollaway: Aye; Effros: Aye; Milne: Aye; McDonald: Aye; Poe: Aye; Pline: Aye.**

Vice Mayor Effros acknowledged that the Town is in a transformational and unique time. What to do now that someone has illegally torn down the banner is a difficult decision. He noted that he would vote to have an identical banner put up but questioned whether that would be the most effective thing to do. He would like to put up another banner at some point, but not without taking the opportunity to expand on what the Town has been doing. He added that, once the mounting hardware has been fixed, a new banner could be placed over Main Street bearing the message “Clifton is committed to racial justice.”

Councilmember Pline agreed with Vice Mayor Effros’s statement and suggested that the Council’s focus should be on the well-being of the Town. He added that the banner has been incredibly divisive in this town.

Councilmember Poe replied that the banner has also been very unifying in many ways, such as the recent formation of a racial justice committee by numerous residents.

Mayor Hollaway said that he thought Vice Mayor Effros’s suggested replacement banner, displayed for thirty days, could clarify the message of Clifton’s values. However, he would apply great caution before erecting additional values statement banners after this one, since it is not a desirable path to go down.

Vice Mayor Effros agreed with Mayor Hollaway and pointed out that it should be understandable as to why the Council acted to hang a banner in this instance, and noted that the Council might have to do it again the next time there are 20 million demonstrators in the streets in 2,000 locations around the country.

Councilmember McDonald reported that he does not think it is the Town’s place to advocate issues, and he felt blindsided by the first notice of the banner discussion. He added that he is not sure that it is productive for the Town and he leans towards compliance with VDOT until the legal situation has been clarified.

Councilmember Milne reminded the Council that they originally had determined that they were not going to lower the banner until the situation had been resolved with VDOT, except for that someone stole it before then.

Vice Mayor Effros interjected a clarification that no one is suggesting that the Council adopt a defiant stance to VDOT, however, the Council would have left the banner in place at tonight’s meeting had it not been stolen. In any case, a new banner cannot be placed until the hardware is fixed. In the meantime, he suggested that the focus could be turned to the historical marker signs on some of the houses that currently omit Black history.

Councilmember McDonald reminded the Council that placing a new banner is not on the current meeting’s agenda.

Mayor Hollaway asked Councilmember Pline to address the repair or replacement of the hardware used to hang banners over Main Street, to which he agreed. The Council will consult with Jim Chesley to coordinate with NOVEC on using the appropriate materials. He

Adopted as presented by the Town Council on August 4, 2020

added that the Council can prominently place the new banner proposal on the next agenda in order to eliminate the risk of not giving adequate notice to the public to solicit feedback.

3. Adjournment.

- **Councilmember Poe moved to adjourn, seconded by Vice Mayor Effros. The motion was approved by roll-call: Hollaway: Aye; Effros: Aye; Milne: Aye; McDonald: Aye; Poe: Aye; Pline: Aye.**

The meeting was adjourned at 9:15 PM.



Clifton Clerk <clerk@cliftonva.gov>

BLACK LIVES MATTER Banner

2 messages

Carly Gewirz <gewirz@cox.net>
Reply-To: Carly Gewirz <gewirz@cox.net>
To: clerk@cliftonva.gov

Wed, Jul 22, 2020 at 10:35 AM

I would like to voice our strong support for the welcoming banner that, until it was stolen, graced our Main Street. I have been a Clifton resident since 1985, when I moved to Virginia and subsequently married Dean Clamons, who settled in Clifton nearly 50 years ago. We were very pleased that the town council felt moved to publicly state support of racial justice and inclusion, starting with our own community. It soon became clear that the majority of residents agreed. The banner sparked ongoing discussion that, while sometimes uncomfortable, is vital if we are to move forward as a nation. It also gave support to our friends and neighbors who have faced marginalization, prejudice and injustice in this country for far too long. For these reasons alone the banner is a worthwhile investment in our community, but its legacy hopefully will be as a catalyst for further action.

The theft of the banner was a sad statement of the times. The irony that one of the objections heard against it was that it would bring looters to Clifton to vandalize the town, and that the only act of vandalism has been its removal, is not lost on us. We believe that the banner must be replaced; such actions must not be allowed to silence our town's message of inclusion and support.

Carly Gewirz

Dean Clamons

[12800 Richards Lane](#)

[Clifton VA 20124](#)

Clifton Clerk <clerk@cliftonva.gov> Wed, Jul 22, 2020 at 10:56 AM
To: gewirz@cox.net, William Hollaway <whollaway@cliftonva.gov>, Stephen Effros <seffros@cliftonva.gov>, Melissa Milne <mmilne@cliftonva.gov>, Darrell Poe <dpoe@cliftonva.gov>, Regan McDonald <rmcdonald@cliftonva.gov>, Pat Pline <ppline@cliftonva.gov>

Dear Ms. Gewirz,

Thank you for your comments, which I am forwarding to the Council.

[Quoted text hidden]

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Sincerely,
Amanda Christman
Town Clerk, Clifton, VA



Clifton Clerk <clerk@cliftonva.gov>

BLM banner

2 messages

Debbie Charms <deborahdcharms@yahoo.com>
To: Clerk Town Of Clifton <clerk@cliftonva.gov>

Tue, Jul 21, 2020 at 8:38 PM

Dear Mayor & Council,

I was so proud of our town when the banner was erected. I was livid to hear that it was stolen. I realize that living outside of the town boundaries gives me no voice but I would urge you to replace it. I choose to believe that the town in which I live is a community that is inclusive to all.

Thank you.

Regards,

Deborah Charms

13155 Compton Rd.

Sent from my iPhone

Clifton Clerk <clerk@cliftonva.gov>

Wed, Jul 22, 2020 at 11:04 AM

To: Debbie Charms <deborahdcharms@yahoo.com>, William Hollaway <whollaway@cliftonva.gov>, Stephen Effros <seffros@cliftonva.gov>, Melissa Milne <mmilne@cliftonva.gov>, Darrell Poe <dpoe@cliftonva.gov>, Regan McDonald <rmcdonald@cliftonva.gov>, Pat Pline <ppline@cliftonva.gov>

Dear Ms. Charms,

Thank you for your comments, which I am forwarding to the Council Members.

[Quoted text hidden]

--

Sincerely,

Amanda Christman

Town Clerk, Clifton, VA



Clifton Clerk <clerk@cliftonva.gov>

BLM banner replacement

2 messages

Debbie Charms <deborahdcharms@yahoo.com>
To: Clerk Town Of Clifton <clerk@cliftonva.gov>

Tue, Jul 21, 2020 at 10:08 PM

Dear Mayor & Council,
We can solicit donations to replace the banner!
Deborah Charms

Sent from my iPhone

Clifton Clerk <clerk@cliftonva.gov>

Wed, Jul 22, 2020 at 11:06 AM

To: William Hollaway <whollaway@cliftonva.gov>, Stephen Effros <seffros@cliftonva.gov>, Melissa Milne <mmilne@cliftonva.gov>, Darrell Poe <dpoe@cliftonva.gov>, Regan McDonald <rmcdonald@cliftonva.gov>, Pat Pline <ppline@cliftonva.gov>

Another public comment.

[Quoted text hidden]

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Sincerely,
Amanda Christman
Town Clerk, Clifton, VA

The Washington Post

Democracy Dies in Darkness

Vandals tear down 'Black Lives Matter' banner in small Virginia town

By **Patricia Sullivan**

July 21, 2020 at 7:00 p.m. EDT

A banner declaring “Black Lives Matter” that has greeted visitors to the tiny Virginia town of Clifton since June was torn down and stolen early this week, Mayor William Hollaway said.

The missing sign was reported to Hollaway by a resident who noticed it was gone while walking her dog at 5 a.m. Monday. Other witnesses have since told the mayor the sign was in place as of 2 a.m. Monday.

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Also removed and damaged was a mechanism used to raise and lower banners over that spot on Main Street for decades. The mechanism was found nearby in a ditch, the mayor said.

“The audacity they had to take the law into their own hands and tear this down . . . and doing it in the middle of the night is just cowardice,” Hollaway said Tuesday. “It undermines the First Amendment. It undermines what this country is about. It highlights that there’s a minority subset of people who are uncomfortable with

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AD

The banner drew mostly support from town residents but sparked criticism from a few, including Ginni Thomas, who is married to U.S. Supreme Court Justice Clarence Thomas and lives not far from Clifton in Fairfax County.

Leaders of the overwhelmingly white town ordered the banner created and raised after Black Lives Matter demonstrations shook the nation in early June. Thomas and others accused the town council of endorsing the Black Lives Matter advocacy organization, which they decried — in emails to the council — as Marxist and un-American.

The council said June 11 that it did not back the advocacy group's goals of defunding police, decriminalizing prostitution and other “radical” aims, but wanted to support the broader movement for racial justice and make an anti-racist statement.

AD

Hollaway said no one has claimed responsibility for the theft of the \$500 banner and the vandalism of the machinery, which mostly has been used to erect banners advertising community events.

He has filed a police report with the Fairfax County Police Department, which patrols the town. Police said an investigation is underway.

Reports on social media blamed the banner's removal on the Virginia Department of Transportation, but Hollaway said multiple VDOT officials had told him the department had nothing to do with it.

If the state agency had taken down the banner, he added, it would not have been done in the middle of the night and without public notice.

AD

The cost of repairing the mechanical device that raises banners will take a major

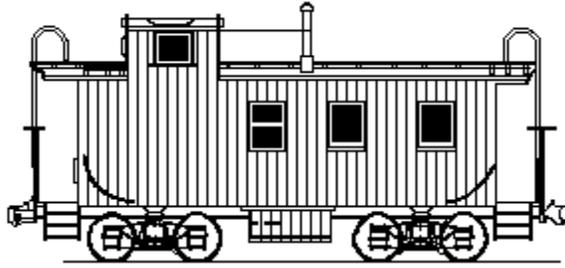
bite out of the town's budget, Hollaway said. Businesses are closed due to the

one out of the town's budget, Hollaway said. Businesses are closed due to the coronavirus pandemic, so income is less than expected.

The town's biggest event of the year, the Haunted Trail attraction at Halloween, has been canceled, he said, but city employees are working more hours than ever because residents are requiring more services.

"I've never seen a year when we've been hit as hard for revenue," Hollaway said. "It means there is thousands less for some of the services we need."

The town council had plans to discuss the matter at its meeting Wednesday night.



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Any member of the public wishing to observe the electronic meeting via Zoom must register using the link provided by the Town Clerk by Noon on the day of the meeting.

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Order of Business:

1. Citizen's Remarks - Suggestions or complaints of citizens and taxpayers, and other persons authorized by the Mayor to address the Council.
Each person wishing to address the Council shall, when recognized by the Mayor:
 - (i) Give their name and address;
 - (ii) Direct their remarks to the Council and not to other citizens present; and
 - (iii) Be limited to one period of not over three (3) minutes, unless granted additional time by unanimous consent of the Council.Persons requesting to speak must have registered with the Town Clerk by no later than Noon of the day of the meeting. Priority to speak shall be given to citizens and tax-payers of the Town of Clifton.
2. Application for VDOT Land Use Permit and Schedule to Take Down Banner.
3. Adjournment.